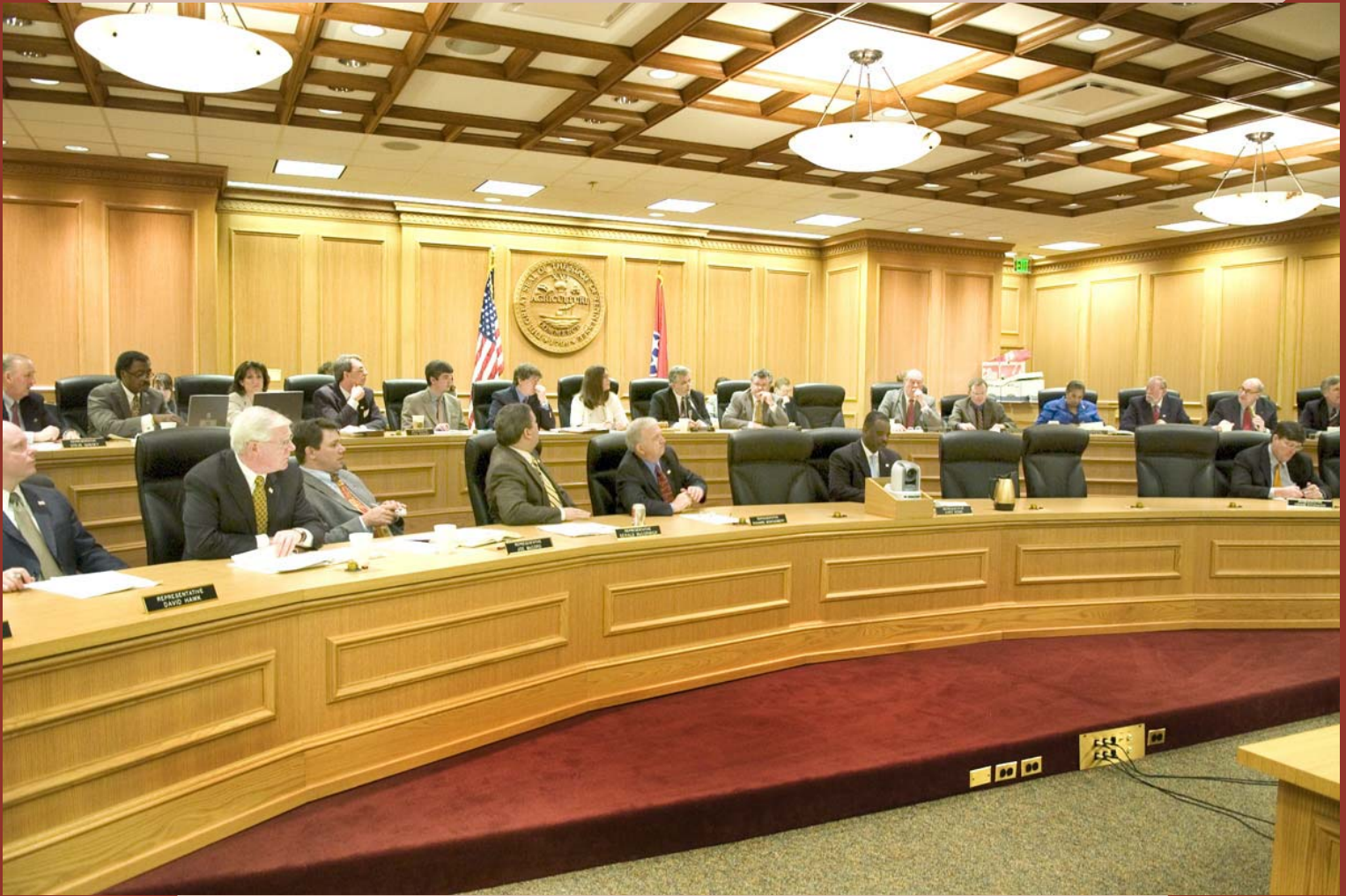


The Research Review

PUBLISHED BY THE RESEARCH DIVISION OF THE TENNESSEE HOUSE OF REPRESENTATIVES

March 9, 2006



Now ending their fifth week of work since the start of the regular session, House committees begin to move legislation forward. (*Pictured: The House Commerce Committee*)

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The **Agriculture Committee** met on Tuesday, March 7th to take up nine bills on its calendar.

Three of the bills on calendar, HB 3342 (Davidson), HB 3183 (Cobb) and HB 2533 (Swafford), dealt with the practice of artificial insemination on swine, and equine and bovine animals – making it an accepted “livestock management practice” and thereby exempting it from veterinary licensure requirements. Both Rep.

Rep. Swafford, Rep. Cobb



Swafford and Chairman Davidson had prepared similar amendments, but after discussion between the two members, it was agreed that Davidson’s amendment would be offered on the Swafford bill. It limits the practice to artificial insemination of livestock as “livestock” is defined in the code, with an

effective date upon becoming law. Chairman Davidson and Rep. Cobb took their bills off notice and the amendment was adopted on HB 2533.

However, because the Senate companion bill to Rep. Swafford’s bill has been withdrawn, Chairman Davidson’s bill has been put back on notice and placed on next week’s calendar. It is anticipated that the same amendment will be placed on that bill.

The second item on the calendar, HB 0168 (M. Turner)

was taken off notice. It prohibited the use of toxic waste or heavy metals as fertilizer and created an offense. Rep. Turner said the bill was no longer necessary since the Departments of Agriculture and Environment and Conservation would strengthen rules to prevent the use of such substances.

Rolled were HB 3604 (Stanley), HB 3482 (Shaw), HB 3297 (Niceley). Rep. Stanley’s bill allows metropolitan governments to enact smoking bans in certain buildings and restaurants, Rep. Shaw’s bill increases the cigarette tax, and Rep. Niceley’s bill prohibits the use of state funds for the federal animal identification system.

Rep. Niceley had two other bills on calendar, HB 3295 and 3296. HB 3295 would define milk and reduced fat milk, and require increased percentages of milk solids, not fat, and milkfat sold in those products. The bill failed on a roll call vote. HB 3296 was rolled for one week; it calls for the removal of animal parts and by-products from feed supplies. Agriculture Commissioner Ken Givens and Assistant Commissioner Patricia Clark were present at the meeting, as well as Jimmy Hopper, director of Regulatory Services. They spoke to the issue of bovine spongiform encephalopathy (BSE) or “mad cow” disease, its potential problems, current inspections of feed mills and the various programs already implemented to monitor the situation. At the members’ request, the bill was rolled to allow more scientific information to be brought in on animal feed, BSE, and other related matters.

CHILDREN AND FAMILY AFFAIRS

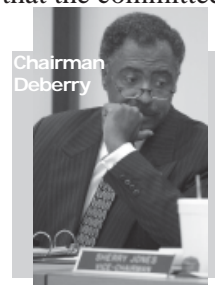
Amelia Mitchell

The **Children & Family Affairs Committee** met Wednesday morning to hear further testimony from the Department of Children Services. Commissioner Viola Miller and Dr. Deborah Gatlin spoke on issues concerning children in state custody receiving psychotropic medications. In addition, they spoke on how this is affecting the state’s programs and services that are offered to children in state custody.

Rebecca Montgomery, Assistant Director/Legal Council for the Administrative Office of the Courts spoke to the committee about issues regarding the legal aspects that concern children and families of the State, those being Statutory Duties, Juvenile Court Services, and issues of interest in 2006 (Juvenile Justice, Guardians ad litem, Child Support, Child Custody Termination of Parental Rights, Orders of Protection and Family Law).

Finally, Cindy Perry, Executive Director of the Select Committee on Children and Youth, gave a brief

synopsis about the major issues that the committee is dealing with and how these issues overlap with the legislative committee. Since there were certain time restraints, Chairman DeBerry asked that Ms. Perry come back at a later date to discuss this further.



Domestic Relations Subcommittee meeting was canceled due to **HB 1961 (Stanley)** being rolled one week.

The **Family Justice Subcommittee** meeting was cancelled as well, and the three bills on the calendar were rolled one week.

HB 2939 (Stanley)

HB 3209 (Stanley)

HB 3605 (Stanley)

Full Committee

The **Commerce Committee** met Tuesday to consider two bills.

Bills Moved to Calendar and Rules:

HB 2585 (Shepard) – would exempt non-profit organizations from the unsolicited fax laws, if the organization is using the faxes to contact members of the organization.

Bills Rolled Three Weeks:

HB 1731 (Maddox)

Small Business

The **Small Business Subcommittee** met Tuesday to consider four bills.

Bills Moved to Full Committee:

HB 2563 (Pruitt) – This bill enacts the “Cemetery Consumer Rights Act.” As amended by the subcommittee, this bill enacts several changes to the burial industry. It prohibits any cemetery company to knowingly sell an interment site that has already been sold to another consumer. Every cemetery in the state shall draw a map listing all burial plots that have been sold to consumers and register it with the county register. Any interment site that is sold shall be accompanied by a registered deed, and anybody who sells or otherwise transfers a cemetery plot shall again execute a deed for the conveyance of the property. When a cemetery company sells an interment space to a consumer, it must give them a copy of the purchase contract, a copy of the registered deed, and confirmation that the deed has been registered. Further provisions of the bill require owners of farm animals to erect barriers around cemeteries that lay in areas where the animals graze, or otherwise be liable for damage to such graves. Also, an owner of private property must allow descendants to visit and maintain the graves, and gives proper provisions as such. This bill includes an exemption for religiously affiliated and family cemeteries from the provisions of the new law, as they were already exempt from existing cemeteries laws.

Bills Rolled Two Weeks:

HB 2976 (Cooper)

Bills Taken Off Notice:

HB 401 (Shepard)

HB 2519 (Hackworth)

Chairman Hargrove, Vice Chair Curtiss



Industrial Impact

The **Industrial Impact Subcommittee** met Tuesday with six bills on its calendar.

Bills Moved to Full Committee:

HB 2673 (Sontany) –

This bill makes minor changes to the title law. It deletes the obsolete term “permit to dismantle,” and replaces it with salvage title terminology. This bill increases to a Class A misdemeanor the penalty for not keeping proper records of dismantled vehicles, or for violating salvage vehicle provisions; and, further, adds the penalty of perjury when submitting in writing that no stolen parts were used when repairing a salvaged vehicle.

Bills Rolled One Week:

HB 2582 (West)

HB 3454 (Coleman)

Bills Rolled Three Weeks:

HB 2581 (West)

HB 3448 (Sargent)

Bills Taken Off Notice:

HB 2610 (Tidwell)

Utilities and Banking

The **Utilities and Banking Subcommittee** met Wednesday and considered three bills. Chairman Curtiss also appointed Rep. Cobb to serve as the vice-chair of the committee.

Bills Moved to Full Committee:

HB 2786 (McKee) – As amended by Utilities and Banking, this bill adds protection to businesses for telemarketing calls under the state’s “Do Not Call” list. As with the ban on residential telemarketing, there is an exemption on calling if there is an existing business relationship, and the person or business contacted is presumed to be in the market for such products that are being offered in the sales call.

Bills Rolled One Week:

HB 2849 (Curtiss)

Bills Rolled Two Weeks:

HB 3475 (Curtiss)

Full Committee

The full **Conservation and Environment Committee** met on March 8, 2005 to consider three bills. Action on **HB2549** (Borchert) was deferred for two weeks.

The following bills were passed and **referred to Calendar and Rules**:

HB659 (Hawk) - As amended directs TDEC to continuously perform a thorough examination, with recommendations regarding options, of the protection of watersheds and the control sources of pollutions for the future quality of potable drinking water supplies. Findings and recommendations shall be reported annually to the Governor and General Assembly starting February 1, 2007.

HB2613 (Tidwell) – As amended replaces provision under which licensed professionals with proof of errors and omissions insurance are exempt from bonding requirements for subsurface sewage disposal systems with exemption for all state licensed professional

Environment Subcommittee

The **Environment Subcommittee** did not meet on March 8, 2006, as action on **HB2553** (Shaw) was deferred one week.

Parks and Tourism Subcommittee

The **Parks and Tourism Subcommittee** met on March 7, 2006, to consider one bill. **HB2494** (Borchert) was passed to full committee. As amended, the bill authorizes veterans with at least a 50 percent service-connected disability to receive a 50 percent reduction in room fees in all state park inns and cabins and in all state park activity fees.

Wildlife Subcommittee

The **Wildlife Subcommittee** met on March 7, 2006, to consider one bill. **HB3552** (McCord) was passed to full committee. The bill removes the prohibition on hunting deer, bear, wild elk or wild boar with a shotgun using ammunition loaded with more than one solid ball, a rifle using rim-fire cartridges or a rifle loaded with center-fire ammunition of less than .24 caliber. The bill would in effect allow the Tennessee Wildlife Resources Commission to be wholly responsible for setting this type of regulation in rule. At the completion of the calendar, the committee heard an overview of the TWRA budget for FY 2006-07 from Assistant Director Allen Gebhardt.

CONSUMER & EMPLOYEE AFFAIRS

Lucy Wilson

Although the **Full Committee** was scheduled to meet Tuesday, March 7, 2006, before the meeting both bills were rolled one week.

HB 2578 (West) requires drug-free workplace credits be based on an employer's annual premiums and those credits be given equally over the premium payment schedule. This particularly benefits smaller companies to which a \$200 to \$300 monthly premium represents a large percentage of their operating budget.

HB 2574 (West) prohibits the sale of a gift certificate with an expiration date. It mandates that the gift



Chairman West

certificate be redeemable in cash for its full value. No fee, surcharge or additional expense could be imposed for the purchase, redemption or replacement of a gift certificate. This bill does not apply to gift certificates distributed in an awards, loyalty or promotional program without any money or other thing of value being given in exchange, nor does it apply to certificates sold below face value.

The **Consumer Affairs Subcommittee** met Tuesday, March 7, 2006 with two bills on the calendar. Both bills were rolled one week.

HB 3481 (Kernell) requires that a consignment contract for the sale of personal property contain a provision granting the consignor the right to protection of his or her interests in personal - **CONTINUED ON NEXT PAGE.**

property by filing a UCC-1 financing statement with the secretary of state and indicating that if the statement is not filed, the property of the consignor may be subject to seizure if the consignee declares bankruptcy.

This bill requires consignees to alert the public that it “takes and displays items of consignment for sale” by display of a visible sign. The consignee must also disclose to a purchaser whether the item purchased is a consigned item.

HB 3493 (Moore) defines “mattress” and “comfort exchange policy.” The bill prohibits the selling of secondhand mattresses and prohibits the offering of a comfort exchange policy. A comfort exchange policy means a policy that authorizes a mattress buyer to exchange the mattress for a different mattress within a certain time period. A consumer could no longer exchange or return a mattress because it was not comfortable. A violation is punishable as a misdemeanor, fine only.

The **Employee Affairs Subcommittee** met March 8, 2006 to hear six bills. **HB 2883** (Turner M) prohibits denial of unemployment benefits to an individual who leaves work or is discharged due to circumstances resulting from the person’s being a victim of domestic violence, stalking, aggravated stalking, or especially aggravated stalking.

This bill prohibits an employer’s account from being charged for payment of unemployment to a person who leaves work because of domestic violence. The bill was rolled one week.

Also rolled one week was **HB 2885** (Turner M). This bill would raise the minimum wage to \$7.15. According to the U.S. Department of Labor Tennessee is one of 6 states with no minimum wage law.

HBs 0136, 0144, and 0152 (Turner M) were rolled three weeks. These bills address issues relating to the collection of specimens for a drug or alcohol test. One requires the person collecting the specimen be in good standing as a health care professional, licensed or certified, who has never been convicted of any alcohol or drug-related offense. Another provides a mechanism for an employee to have a second test for drugs and alcohol performed on the same specimen provided by the employee if the first test is positive.

HB 0414 (Turner M) was taken off notice. This bill is similar to HB 2883 in that it prohibits denial of unemployment benefits to an individual who leaves work or is discharged due to circumstances stemming from that person’s being a victim of domestic violence.

EDUCATION

Pam Mason



Chairman
Winningham

Full Committee

The Education Committee met on Wednesday to consider its calendar. Action on the calendar’s six items follows.

Referred to Finance, Ways & Means Committee:

HB 538 – (Winningham)

authorizes the department of education to pay each year, from appropriations in the general appropriations bill, an amount of the total cost of basic insurance for each eligible local education employee and their dependents. The amount paid is to be determined by the employee’s years of service.

HB 1533 – (Winningham) requires each LEA to contribute a minimum level of contribution to eligible

nonprofessional education employees who participate in health insurance coverage. The level of this contribution shall be determined by the general appropriations bill.

Deferred 2 weeks:

HB 250 – (Stanley)

HB 2973 – (Cooper)

HB 1408 – (Baird)

HB 748 – (Winningham)

Higher Ed Subcommittee

The Higher Ed Subcommittee met on Wednesday to consider its calendar. Action taken follows.

Referred to Full Committee:

HB 2511 – (Cobb) names the Administrative Office

CONTINUED ON NEXT PG.

EDUCATION continued.

Complex at the Tennessee Tech Center in Shelbyville in honor of the late R. E. "Bobby" Holden.

Deferred 1 week:

HB 2607 – (McCormick) deletes due process contested case hearing now required when a higher education foundation votes to remove a member. This legislation allows such member to address the board on the matter in question.

Deferred 2 weeks:

HB 2619 – (McMillan) **HB 3040** – (Bunch)
HB 1284 – (Shaw) **HB 3109** – (Cooper)

The above bills make changes to the HOPE scholarship program. All Lottery legislation is to be heard in the subcommittee on March 22.

HB 2658 – (Bunch)
HB 2544 – (Ferguson)

K-12 Subcommittee

The K-12 Subcommittee met on Tuesday and considered its calendar.



K-12 Chair Towns, Chairman Winningham

Referred to Full Committee:

HB 2442 – (Moore) requires the departments of education and health to develop guidelines for the management of students with life threatening allergies. LEAs are then required to implement plans based on these guidelines.

HB 2439 – (Turner, M.) requires a one calendar year suspension for any student who is part of a group or gang that participates in a physical attack of another student. This action must occur on school property or at a school activity. This action may be modified at the discretion of the Director of Schools.

HB 3055 – (McCormick) requires interscholastic student athletes to sign a pledge to not use steroids or any other performance enhancing substance. The students are to be given information on the harmful effects of such products.

HB 3547 – (McCormick) allows LEAs to contract to place commercial advertising on the rear quarter panels of school buses. In addition the bill allows for color printing and doubles the size of these signs from what is now in the law. The legislation requires each LEA to adopt a policy concerning commercial advertising on school buses based on the state board of education's regulations.

Deferred 1 week:

HB 3381 – (Borchert) **HB2657** – (Bunch)
HB 2545 – (Ferguson) **HB 2606** – (McCormick)
HB 2470 – (Baird) **HB 2646** – (McCormick)
HB 2674 – (Montgomery) **HB 2647** – (McCormick)
HB 3180 – (McCormick)

Deferred 2 weeks:

HB 2546 – (Hackworth) **HB 2600** – (West)

FINANCE, WAYS AND MEANS

Julie Travis

The Full Committee

The House Finance, Ways, and Means Committee has not had any bills on its agenda, though the full committee continues to meet reviewing departmental budget hearings.

On Tuesday, March 7th, Commissioner Virginia Trotter Betts presented the Department of Mental Health's budget request and Deputy Commissioner Stephen Norris presented the Division of Mental Retardation's budget request for fiscal year 2006-07. On Wednesday, March 8th, the committee reviewed the budgets of the departments of Transportation, the TBI (Tennessee Bureau of

Investigation), the Military and the Office of Homeland Security. The full committee is scheduled to hear on Thursday, March 9th, the budget presentations dealing with the state's higher education system, including the Tennessee Higher Education Commission, the University of Tennessee, the Tennessee Board of Regents, and the Tennessee Student Assistance Corporation (TSAC).

The hearings continue to be broadcast live through internet video streaming on the General Assembly's website, <http://www.legislature.state.tn.us>. Summaries of various departmental budget hearings are also included in this publication.

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Chairman
Fitzhugh

The Budget Subcommittee

The Budget Subcommittee of the House Finance, Ways, and Means Committee met on Wednesday, March 8, 2006, with eleven bills on calendar. Only one bill (**HB 2537** by Rep. Fowlkes) was **referred to the full committee** with the favorable recommendation of the subcommittee.

HB 2537 (Fowlkes) deals with the state's existing "Move Over" law, by increasing the penalty for a motorist's failure to yield the right-of-way to an approaching or stationary emergency vehicle from a Class C to a Class B misdemeanor. The penalty would change from one of a \$50 fine to that of a fine ranging from \$100 to \$500 and/or imprisonment of not more than thirty days in jail. The bill encourages the Department of Transportation to alter existing signage to inform the public of the law and the punishment for failure to 'move over' if the motorist is able. (The bill's fiscal note assumes TDOT will alter the signs anyway, even though bill does not mandate it. The fiscal note summary speculates the average, reasonable fine will be \$150, but the bill does not specify any particular amount, only a range is specified for the imposed fines.)

Two bills (**HB 2456** by Rep. Swafford and **HB 3576** by Rep. Litz) were placed **behind the budget**.

Rep. Swafford took **HB 2455 off notice**. The rest of the bills were deferred, though for various lengths of time. Subcommittee action for those deferred bills are as follows:

Bills Rolled for 1 week:

HB 2974 by Rep. Cooper

HB 2568 by Rep. West

HB 2745 by Rep. Crider

HB 740 by Rep. Stanley

Bills Rolled for 2 weeks:

HB 3031 by Rep. Borchert

HB 1415 by Rep. U. Jones

Bills Rolled for 3 weeks:

HB 2465 by Rep. Stanley

GOVERNMENT OPERATIONS

Kristina Ryan

Sunset Hearings

Agriculture and Natural Resources Subcommittee

The **Agriculture and Natural Resources Subcommittee of the Joint Government Operations Committee** met on Monday, March 6th to consider the re-authorization of the Department of Environment and Conservation and five boards that are administratively attached to the department. The Tennessee Wildlife Resources Agency and Tennessee Wildlife Resources Commission were also up for re-authorization.

The Wildlife Resources Agency had a total of eight findings in their performance audit.

Some of the more important findings that were cited included:

- TWRA has inadequate funding sources for non-game and endangered species programs
- There are weaknesses in TWRA's conflict of interest policy
- Improvements are needed in TWRA's oversight and controls over Cooperative Farming
- TWRA still has no policy in place to regularly monitor TWRA-owned land for boundary encroachments by the public
- TWRA still does not have a boat titling law

The committee recommended a re-authorization of the Tennessee Wildlife Resources Agency and the Tennessee Wildlife Resources Commission for four years.

The committee heard a presentation by officials from the Department of Environment and Conservation

regarding their audit findings. The performance audit cited nine findings that were in need of improvement. Some of these citations include:

- The Department has only limited information on old landfills that closed before permitting regulations were enacted, and many landfills closed after permitting began have not been inspected since 1998
- Well drillers do not always submit reports in compliance with department rules
- The Department has not established a state compliance advisory panel on Air Pollution, as required by federal law
- The Department has neither completed nor submitted a statutorily required update of the *1999-2009 Tennessee State Parks Master Plan*

A recommendation was made by Senator Jim Bryson to re-authorize the Department of Environment & Conservation for four years from the time the audit was released, which was in 2005, making the sunset date 2009.

Full Committee

The House Government Operations Committee met on Wednesday, March 08th to consider thirteen pieces of legislation. Because of time constraints, only eight bills were acted upon. **HB 2660** (Bunch) was deferred for one week. **HB 2981** (R. Johnson) and **HB 2446** (Odom) were both taken off notice.

The Committee reviewed and referred **HB 3550** by Representative McCord to the Conservation and Environment Committee. This legislation enables the Tennessee Wildlife Resources Commission to create a one-year, one-time-only permit to exempt someone from a hunter safety course if that individual is at least 10 years of age and is accompanied by a licensed hunter over the age of 21. The Wildlife Resources Commission is authorized to promulgate the rules in order to enforce the provisions of this bill.

HB 2841 by Representative Coleman was reviewed and referred to the Education Committee. Under this legislation, the Tennessee Bureau of Investigation is authorized to promulgate rules in order to establish guidelines on how higher education institutions report on-campus crime statistics.

Rep. Coleman



The committee reviewed and referred **HB 3309** by Representative Niceley to the Agriculture Committee. Known as the “Tennessee Arsenic Feeding Law of 2006”, this legislation prohibits the feeding of arsenic to chickens. The Commissioner of Agriculture will be authorized to promulgate rules in order to implement this legislation. An amendment was placed on the bill; it now goes to the Agriculture Committee.

There was considerable discussion of **HB 3515** by Representative Casada before the committee requested the bill to be rolled one week. This legislation authorizes the sale of unpasteurized dairy products directly to consumers in certain circumstances. The Commissioner of Agriculture is given rulemaking authority in order to oversee the provisions of this legislation. When this bill has been reviewed, it will then progress to the Agriculture Committee.

Full Committee

The **Health & Human Resources Committee** met Tuesday morning, March 7th, to consider two pieces of legislation. **HJR 0849** (McMillan), concerning the designation of September 2006 as “Menopause Awareness Month,” was referred to C&R. **HB 2975** (Cooper, B.) that requires the Board of Medical Examiners to grant an extension to the seven year timeframe to complete the Medical Licensing Examination to an applicant licensed in good standing in another jurisdiction who was prevented from taking the last exam in a timely manner due to a lack of available testing facilities was discussed at length and ultimately referred to C&R.

After completing the calendar, the committee heard a presentation from Roba Whiteley, Executive Director of Together Rx, Access, a free prescription savings program for individuals and families without prescription drug insurance who meet income eligibility requirements. To apply for Together Rx, Access, individuals may call 1-800-250-2864 or visit TogetherRxAccess.com. Materials describing this prescription savings program are available in Chairman Armstrong’s office.

Health Care Facilities Subcommittee

The **Health Care Facilities Subcommittee** did not have bills on notice and did not meet Tuesday afternoon.

Mental Health Subcommittee

The **Mental Health Subcommittee** did not meet Tuesday afternoon after the only bill on calendar, **HB 3562** (Odom), was rolled three weeks by the sponsor.

Public Health Subcommittee

The **Public Health Subcommittee** met Wednesday morning, March 8th, with three bills on calendar. **HB 2632** (Curtiss) that establishes a task force to analyze the high prescription drug use in Tennessee and make recommendations to reduce such use without impacting the quality of patient care was discussed and then rolled one week with one amendment adopted (Mumpower) and one amendment pending (Marrero).

HB 2970 (Cooper, B.) that concerns child care subsidy payments to daycare providers was rolled one week for review of Rep. Cooper’s amendment that rewrites the bill to require that prior notice be given to providers, if circumstances reasonably permit, before subsidy payments are terminated. **HB 2977** (Cooper, B.) had to be rolled when subcommittee time lapsed before completing the calendar.

Professional Occupations Subcommittee

The **Professional Occupations Subcommittee** met Wednesday afternoon, March 8th, to consider six bills. **HB 3205** (Odom) that allows licensed chiropractors to practice acupuncture as part of their chiropractic practice was referred to full committee. Chairman Odom advised there will be additional testimony on this bill in full committee. **HB 2642** (Hensley) requires the governor to remove from office any member of the Board of Medical Examiners after three unexcused absences during a 12 month time period. Rep. Kernell requested that **HB 3558** be rolled two weeks.

HB 3065 (Shepard) as amended was referred to full committee. The amendment rewrites the bill to clarify existing statutory requirements of the Tennessee Affordable Drug Act of 2005 relative to a patient’s request for brand name drugs and the role of the pharmacist with such request. The remaining bills on calendar were rolled two weeks: **HB 2561** by Rep. Shepard (massage therapists) and **HB 1288** by Rep. DeBerry, L. (surgery under sedation).

Rep.
Shepard



The Full Judiciary Committee

On Tuesday, the Full Judiciary Committee met to discuss five bills. **HB 2526** by Rep. Fowlkes **passed to Calendar and Rules Committee**. As amended, the bill empowers the governor to provide immunity to voluntary health care providers including hospitals and community mental health centers participating in the Emergency Management Assistance Compact or Southern Regional Emergency Management Assistance Compact who provide health care to victims or evacuees of a major disaster. The governor may provide limited liability protection to health care providers including hospitals and community mental health centers and those licensed who render services to these victims or evacuees. Protection provided does not apply to acts or omissions resulting from gross negligence or willful misconduct. Also, this protection will not exceed 30 days, but may be extended.

HB 1389 by Rep. Brooks (Knox), which would increase litigation tax \$1.00 to support Knox County Governmental Library, was rolled 3 weeks. There was some question as to whether other counties funded their libraries through a similar type of tax as well as the concern of increasing costs and the possible effects it may have on reducing an individual's accessibility to the legal system.

The following bills were rolled for 1 week:

HB 1666 by Rep. Stanley
HB 2652 by Rep. Bunch
HB 57 by Rep. Shaw

Civil Practice & Procedure Subcommittee

On Tuesday, the Civil Practice & Procedure Subcommittee met to discuss ten bills. HB 3196 by Rep. Cobb was taken off notice. HB 1362 by Rep. Overbey, as amended, authorizes Blount County to charge a fee, not to exceed \$2.00 per document, for archives and records management. The bill was sent to full committee.

As mentioned in this week's committee meeting, next Tuesday's meeting will be dedicated to hearing all the bills dealing with eminent domain as its subject matter. The following bills on this week's calendar were rolled to this special calendar:

HB 3450 by Rep. Fowlkes
HB 2695 by Rep. Dunn

The following bills were rolled 2 weeks:

HB 2950 by Rep. Stanley
HB 2952 by Rep. Stanley
HB 3606 by Rep. Stanley
HB 3607 by Rep. Stanley
HB 2678 by Rep. Baird
HB 2772 by Rep. Bunch

Criminal Practice & Procedure Subcommittee

The Criminal Practice & Procedure Subcommittee met on Tuesday to discuss fourteen bills. The Criminal Practice and Procedure Subcommittee will hear all house bills dealing with DUI as its subject matter at 11:30 on Tuesday March 21. HB 2684 by Rep. Campfield and HB 2940 by Rep. Stanley were rolled 2 weeks. HB 3446 by Rep. Lynn was rolled 3 weeks for lack of a senate sponsor.

The following bills were **approved for passage to the Full Judiciary Committee**:

HB 2842 by Rep. Coleman extends the statute of limitations for prosecution of any felony offense to within one year of date on which id of defendant is established by DNA.

HB 2838 by Rep. Coleman, as amended, includes victims who are mentally defective or physically disabled within the purview of the offense of sexual battery by an authority figure.

HB 2837 by Rep. Coleman increases the penalty for willfully abusing, neglecting or exploiting an adult from a Class A misdemeanor to a Class E felony.

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HB 3427 by Rep. McMillan authorizes the governor to enter into a multi-state task force to study and make recommendations relating to law enforcement and other issues concerning methamphetamine.

The following bills were rolled for 1 week:

HB 415 by Rep. Towns
HB 932 by Rep. Towns
HB 2955 by Rep. Montgomery
HB 3116 by Rep. Casada
HB 3113 by Rep. Casada
HB 3465 by Rep. Curtiss
HB 3155 by Rep. McCormick

Constitutional Protections Subcommittee

The Constitutional Protections Subcommittee met on Wednesday to discuss nine bills. House bills 777 by Rep. Clem and 2570 by Rep. West were rolled two weeks. HB 2881 by Rep. Mike Turner failed. This bill permits a person with a valid handgun permit to carry a handgun having a barrel length of less than 12 inches while bowhunting for big game during archery-only deer season.

The following bills were **approved for passage to Full Judiciary Committee**:

HB 2625 by Rep. McMillan makes it an offense for a person to make any utterance, gesture, or display within one thousand feet of a funeral or burial, viewing, procession or memorial service that is offensive to the sensibilities of an ordinary person such as picketing, protesting or demonstrating at a funeral or burial, funeral procession, and memorial service.

HB 2840 by Rep. Coleman specifies DNA to be stored in the centralized system maintained by TBI such as convicted felon profiles, forensic unknown profiles, criminal suspect profiles, and missing person profiles.

HB 3592 by Rep. Curtis adds stun guns to the list of weapons prohibited for most persons to intentionally or knowingly possess, manufacture, transport, repair, or sell.

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The following bills were rolled for 1 week:

HB 3300 by Rep. Niceley
HB 3212 by Rep. Kelsey
HB 2500 by Rep. Lynn

Judicial Administration Subcommittee

The Judicial Administration Subcommittee meeting was cancelled this week. The two house bills, HB 3579 by Rep. Coleman and HB 2437 by Rep. DuBois, were rolled to next week's calendar

State and Local Government Committee

This week in the **State and Local Government** full committee, **HJR 124, by Rep. McMillan**, was passed to Finance, Ways, and Means. This bill will allow the legislature to authorize counties to create a tax program to provide property tax relief to certain elderly homeowners. **HJR 743, by Rep. Langster**, was passed to Calendar and Rules. This resolution names January 2006 as “*Glaucoma Awareness Month*” in the state of Tennessee. The committee heard testimony from Jennifer Gamble, Vice President of *Prevent Blindness Tennessee*. Mrs. Gamble provided the committee with information regarding glaucoma risk factors and glaucoma prevention. **Rep. Tindell** passed **HB 2592** to Calendar and Rules. This bill is relative to extending the application deadlines for charitable organizations to have an annual fundraising event.



Reps. Litz, Yokley, Brooks

State Government Subcommittee

This week in the **State Government Subcommittee**, **Rep. Borchert** passed **HB 2493** to full committee. This bill creates a state burial assistance fund for state veterans. **HB 261, by Rep. Stanley**, was passed to full committee. This bill redefines “small business” for the purposes of obtaining contracts for state services to mean businesses with total gross receipts of no more than \$2,500,000.

Also passed to full committee was **HB 2777 by Rep. Overbey**. It allows the surviving spouse of a veteran whose death was combat related to apply for property tax relief.

Two resolutions were passed to full committee. **HJR 855, by Rep. Moore**, requests the State Capitol Commission to make and enforce policies regarding the conduct of rallies, protests, and sit-ins at the State Capitol Building and grounds. **HJR 739, by Rep. Barbara Cooper**, names December 1, 2006 as “Rosa Parks Day” in Tennessee.

Local Government Subcommittee

This week in the **Local Government Subcommittee**, House Bills 3551, 2963 and 3320 were sent to full committee. **HB 3551, by Rep. McCord**, exempts church owned properties in premier type tourist resort cities from special assessment taxation. **HB 2963, by Rep. Odom**, will permit some taxing jurisdictions to sell the rights to receive taxes, assessments, or other charges secured by liens to private or public entities. **HB 3320, by Rep. Pruitt**, expands the definition of convention center to include the symphony hall in Davidson County for the purpose of selling alcoholic beverages.

Elections Subcommittee

This week, the **Elections Subcommittee** sent two bills to full committee. **HB 3415, by Rep. McMillan**, would require that each county employ at least one deputy administrator of elections. **HB 3152, by Rep. Mike Turner**, places a limit on aggregate contributions from individuals to all candidates and Political Action Committees to \$25,000 annually. This bill will also limit Political Action Committee contributions to \$2,500 per candidate per election.

Full Committee

The **House Transportation Committee** convened on March 7, 2006, to consider eight bills. At the start of the committee meeting, Commissioner Gerald Nicely of the Department of Safety introduced three recent appointments in the department to the committee. Colonel Mike Walker and Lieutenant Colonel Albert Strawther, each of the Highway Patrol, and Greta Dajani, Director of Driver License Issuance Division, were introduced to the committee and each had brief remarks. **HB2814** (Moore) was passed by the committee and referred to Calendar and Rules. As amended the bill requires that if a motor vehicle has two drivers, only the driver contributing to the accident shall be cited for a violation of the rules of the road.

The following bills were passed by the committee and referred to the **House Finance, Ways, and Means Committee**:

HB2507 (Harmon) - "James Robert Haston Memorial Bridge," highway signs over Millstone Branch on State Route 285 in Van Buren County

HB2508 (Harmon) - "Laurel Cove Bridge," highway signs on State Route 30 in Van Buren County

HB2776 (Maggart) - "Bethel Brown Highway," highway signs on a segment of State Route 174 (Long Hollow Pike) in Sumner County -

HB2969 (Cooper) - Places a \$400 cap on the restoration or reinstatement fees imposed for certain suspensions related to traffic citations.

HJR780 (Johnson, R.) - As amended, "278th RCT Memorial Highway," highway signs on State Route 72 in its entirety in Blount, Loudon, Monroe and Roane counties.

The following bills were referred to the **Special License Plate Committee**:

HB2490 (Borchert) - Creates new military license plate for veterans of Operation Iraqi Freedom and Operation Enduring Freedom; reallocates revenue from sale of all military plates.

HB2524 (Fraley) - authorizes issuance of cultural license plates for active service members and veterans of Operation Iraqi Freedom. This bill was mistakenly placed on the calendar as it was referred to the Special License Plate Committee last week.

Public Safety & Rural Roads Subcommittee

The **Public Safety & Rural Roads Subcommittee** met March 7, 2006, to consider four bills. Action on **HB2062** (Stanley) was deferred two weeks, whereas action on **HB1694** (Stanley) was deferred one week. **HB3311** (Vaughn) failed due to lack of a second

The following bills were referred to the **full Transportation Committee**:

HB2903 (Rowland) - Abolishes certificates of driving and authorizes issuance of one-year renewable driver licenses to aliens demonstrating lawful presence.

HB2670 (Hackworth) - Requires any business providing handicapped parking spaces to also include van accessible parking spaces, effective after July 1, 2006.

HB3380 (Davidson) - Allows private organizations that contract with the department of safety to conduct motorcycle rider education courses to charge a tuition fee, but requires the department to determine the maximum tuition fees for organizations that receive a start-up grant subsidy for such course.

Public Transportation & Highways Subcommittee

The **Public Transportation & Highways Subcommittee** met on March 7, 2006 to consider seventeen bills. Action on **HB3310** (Moore) and **HB3301** (Niceley) were deferred for two weeks, whereas action on **HB2525** (Fowlkes), **HB2915** (Mumpower) and **HB2916** (Mumpower) were deferred one week.

The following bills were passed to the **full Transportation Committee**:

HB2962 (Hensley) - Authorizes issuance of Sons of the American Revolution new specialty earmarked license plates and earmarks 50

percent of funds produced from sale of such plates to The Tennessee Society, Sons of the American Revolution.

HB2435 (DuBois) - Authorizes issuance of Daughters of the American Revolution new specialty earmarked license plates.

HB2448 (McDonald) – As amended, allows private citizens who maintain property within a right-of-way to remove and dispose of unlawful outdoor advertising at their own expense. The private citizen must own property adjacent to the right of way that is maintained.

HB2443 (Pinion) - Effective July 1, 2006, reclassifies Masons cultural plate as new specialty earmarked plate; increases the fee for such plate from \$25.00 to \$35.00; and reallocates 50 percent of funds derived from sale thereof to Masonic Widows' and Orphans' Home of Tennessee Fund.

HB2958 (McCord) - Exempts from building height restrictions property along Pellissippi Parkway within the corporate limits of the city of Alcoa which is now or hereafter zoned for planned commercial zones or any similar zoning category under the zoning ordinances of the city.

The following highway sign bills were **passed to the full Transportation Committee**:

HB3089 (Litz) - "Dr. Hubert J. Bell, Jr. Bridge," Merchants/Greene Boulevard (State Route 66) in Hamblen County.

HB2434 (Ferguson) - "Deputy Alan Wayne Shubert Memorial Highway," segment of State Route 58 in Roane County.

HB2452 (Ferguson) - "Deputy Dennis Ray Arnes Memorial Highway," segment of State Route 58 in Roane County.

HB2453 (Ferguson) - "R. L. (Bob) Collier Parkway," segment of State Route 58 in Roane County.

HB2558 (Shaw) - "Sheriff Bennie E. Howell Memorial Bridge," State Route 125 in Hardeman County.

HB3532 (McDonald) - "Danny S. Young Memorial Bridge," State Route 386 (Vietnam Veterans Boulevard) in Sumner County.

HB2668 (Hensley) - "Alan Ragsdale Memorial Highway," segment of U.S. Highway 412 in City of Hohenwald.

Budget Hearings



Tennessee Housing Development Agency

Patrick Boggs

Executive Director Ted Fellman presented the budget for the Tennessee Housing Development Agency (THDA) during the Finance, Ways, and Means Committee's Budget Hearings February 21st. **The budget of the THDA is comprised completely of federal funding, and receives no state funding.** The agency is seeking **no improvements** for FY 06-07, either from state or federal sources, placing the budget at **\$266,725,700**. The agency has 202 employees.

Their proposed budget stands as:

	Estimated 2005-2006	Base 2006-2007	Improvement 2006-2007	Recommended 2006-2007
Payroll	\$ 10,783,100	\$ 10,858,100	\$ 0	\$ 10,858,100
Operational	\$ 255,942,600	\$ 255,867,600	\$ 0	\$ 255,867,600
Total	\$ 266,725,700	\$ 266,725,700	\$ 0	\$ 266,725,700
State	\$ 0	\$ 0	\$ 0	\$ 0
Federal	\$ 252,023,800	\$ 250,619,300	\$ 0	\$ 250,619,300
Other	\$ 14,701,900	\$ 16,106,400	\$ 0	\$ 16,106,400

The programs of the THDA impact approximately 100,000 Tennesseans. The agency, in addition to administering the state's Section 8 program, has four major initiatives aimed at expanding the reach of more Tennesseans to include affordable housing. They include:

- Community investment tax credit program –
This program provides an incentive for banks and other financial institutions to invest in affordable housing by giving them a credit against their franchise & excise taxes.
- Build program –
Through this program, the THDA provides low-interest loans to non-profit agencies for housing construction and rehabilitation.
- Partnership with the Division of Mental Retardation (Finance & Administration) –
The Division of Mental Retardation is under a federal mandate to place more mentally retarded citizens into housing. THDA provides short-term loans to non-profits to build housing for those individuals, and then the Division of Mental Retardation purchases the homes for the individuals.
- Partnership with the Davidson County Drug Court –
THDA is partnering with the Davidson County Drug Court, providing them with low-interest financing to build housing for methamphetamine offenders on County Hospital Road in North Nashville. The state will purchase these residences when they are completed.

Department of Finance and Administration

Denise Sims

Commissioner Goetz spoke to the committee and presented the Department of Finance and Administration's budget request for FY 06-07. As Commissioner of F&A, he serves as the Governor's chief cabinet officer while directing activities provided through administrative services, fiscal and management services, capital projects and facilities management services, and TennCare Oversight and investigation.

The **recommended budget request totals \$295,106,800** of which **\$83,046,700 are state dollars**, \$32,509,800 are federal and \$179,550,300 are other dollars (representing interdepartmental revenue, payments in for the operation of information systems for all the agencies and for all the financial transactions for the agencies, etc.).

Included in F&A's budget request are **three improvements**:

- Under the Criminal Justice Programs Division (\$3,654,000):

\$3,500,000 is requested for criminal justice grants in the department's Office of Criminal Justice Programs for residential drug courts. This will come from the redirection of existing litigation taxes. Of the \$3.5 million for the drug courts, a half million will go to Davidson County, a half million will each go to the other three large counties, and 1.5 million will be set aside for future courts in other areas.

\$134,000 is requested for the electronic fingerprint program. This will be for grants to local law enforcement agencies; funds are to come from dedicated privilege tax revenues.

- \$12,130,000 is requested for the State Health Planning Division for the Health Care Safety Net.
- \$96,200 is requested for a Capital Budget Analyst in the Division of Budget in Fiscal and Management Services.

Commissioner Goetz also brought the committee up to date on the Geographic Informational System. He said 54 counties have been completed, 17 will be completed by May of this year and 24 will be completed in 2007.

A breakdown of the budget request is as follows:

	<u>Base</u>	<u>Improvements</u>	<u>Recommended</u>
State	\$ 67,186,500	\$ 15,860,200	\$ 83,046,700
Federal	32,509,800	0	32,509,800
Other	179,550,300	0	179,550,300
Total	\$279,246,600	\$ 15,860,200	\$295,106,800

Department of Personnel

Lawrence Hall, Jr.

On February 15, 2006 the Department of Personnel presented the department's 2006-2007 budget to the House Finance, Ways, and Means Committee. The department was represented by Commissioner Nat Johnson. Three major areas of the department that are detailed in the budget are:

- Administrative Services
- Human Resource Services
- Technical Services

The department made two requests for improvements in this year's budget that total \$55,400. The first is a computer system improvement, and the second is an improvement for the department's magnetic storage and retrieval device. These improvements are reflected in the Administrative Services section of the department's budget. The department's base request for 2006-2007 is \$9,999,400 and a **total recommended budget of \$10,051,800.**

Administrative Services	\$ 2,925,400 (includes the \$55,400 improvements request)
Human Resource Services	\$ 2,681,200
Technical Services	<u>\$ 4,445,200</u>
Total	\$10,051,800

The commissioner further outlined three goals of the department which are:

- To eliminate the backlog of applications and improve application turnaround.
- To increase the percentage of employees that are trained in transferable skills training up to 20% by 2009, and
- To improve communications with the Human Resources community.

The Tennessee Corrections Institute (TCI) presented its proposed fiscal year 2006-2007 budget to the House Finance, Ways & Means Committee March 2, 2006. Tennessee Corrections Institute provides training to local correctional staff and certifies local adult correctional facilities. TCI also establishes standards to inspect and certify local correctional facilities in such areas as physical environment, medical services, and inmate supervision. There are no new improvements in the budget as presented.

Tennessee Corrections Institute

Lucy Wilson

The department's budget request for fiscal year 2006-2007 is \$713,500.

Tennessee Corrections Institute	2006-2007 Budget
	Total \$713,500
Funding Sources	
State	698,500
Federal	0
Other	\$15,000

A.O.C.

Post-Conviction Defender

T.B.I.

District Attorney General Conference

Jamie Wyatt

Administrative Office of the Courts

Randy Camp, The Director of the Administrative Office of the Courts (“AOC”), presented the AOC’s 2006-2007 budget and proposed improvements to the Finance, Ways, and Means Committee. The AOC’s **total budget request is \$103,093,400** of which \$4,778,000 is improvement funding. This improvement funding is requested for mandated judicial salary increases pursuant to T.C.A. §8-23-103.

	Estimated 2005-2006	Base 2006-2007	Improvement 2006-2007	Recommended 2006-2007
State	\$94,046,500	\$94,367,000	\$4,778,000	\$99,145,000
Federal	\$200,000	\$200,000	0	\$200,000
Other	\$4,089,600	\$3,748,400	0	\$3,748,400
TOTAL	\$98,336,100	\$98,315,400	\$4,778,000	\$103,093,400

Office of the Post-Conviction Defenders

Attorney Don Dawson presented the Office of the Post-Conviction Defender 2006-2007 fiscal year budget to the House Finance, Ways, and Means Committee. The **total budget request** for the Office of the Post-Conviction Defender is **\$1,268,800** of which \$34,200 is improvement funding. The improvement request is to fund step-raises for assistant post-conviction defenders pursuant to T.C.A. §40-30-209(b) and T.C.A. §8-14-207.

	Estimated 2005-2006	Base 2006-2007	Improvement 2006-2007	Recommended 2006-2007
State	\$1,218,600	\$1,234,600	\$34,200	\$1,268,800
Federal	0	0	0	0
Other	0	0	0	0
TOTAL	\$1,218,600	\$1,234,600	\$34,200	\$1,268,800

Commissioner Gwyn listens to proceedings.



Tennessee Bureau of Investigations

Mark Gwyn, the Director of the Tennessee Bureau of Investigations (“TBI”), presented the TBI’s 2006-2007 fiscal year budget to the House Finance, Ways, and Means Committee. The **total budget request** for the TBI is **\$51,914,000** of which \$1,251,300 is improvement funding. The improvement request is to provide funding to replace an expiring grant that funds nine forensic technician positions assigned to Knoxville, Memphis, and Nashville labs. Also, the improvement funding is to fund eight additional forensic scientists and one forensic technician needed to reduce the backlog of requests from local law enforcement and increase timely forensic examinations.

	Estimated 2005-2006	Base 2006-2007	Improvement 2006-2007	Recommended 2006-2007
State	\$30,723,600	\$30,670,800	\$1,251,300	\$31,922,100
Federal	\$7,878,100	\$7,878,100	0	\$7,878,100
Other	\$15,322,100	\$12,113,900	0	\$12,113,900
TOTAL	\$53,923,800	\$50,662,800	\$1,251,300	\$51,914,100

District Attorneys General Conference

Executive Director James Kirby presented the District Attorneys General Conference 2006-2007 recommended budget to the House Finance, Ways, and Means Committee. The **total budget request** to the District Attorneys General Conference is **\$75,234,200** of which \$2,433,400 is improvement funding. The improvement request is to provide judicial salary rebasing for district attorney generals salaries as well as statutory raises for assistant district attorneys and criminal investigators. Also, the improvement request will provide additional operation funds for the district attorney general offices in Knox, Hamilton, Davidson, and Shelby Counties.

	Estimated 2005-2006	Base 2006-2007	Improvement 2006-2007	Recommended 2006-2007
State	\$54,526,400	\$54,262,600	2,347,300	56,609,900
Federal	0	0	0	0
Other	\$21,745,500	\$18,538,200	\$86,100	\$18,624,300
TOTAL	\$76,271,900	\$72,800,800	\$2,433,400	\$75,234,200

Department of Transportation

Jeremy L. Elrod

Commissioner Gerald Nicely presented the Tennessee Department of Transportation (TDOT) proposed budget to the Finance, Ways, and Means Committee on Wednesday, March 8, 2006. TDOT plans, designs, constructs, and maintains the state's highway network. Furthermore, the department is responsible for aeronautics, public transit, railroads, and waterways.

Commissioner Nicely
at right.



Commissioner Nicely began his presentation by discussing the state of federal funding to the department. The current federal highway spending bill, SAFETEA-LU, was passed in August 2005 and funds through FY 09. For FY 2005-06, TDOT overestimated the amount of federal funding by approximately \$101 million. Also, the federal government rescinded \$80,604,591 that was appropriated in SAFETEA-LU as a budget deficit reduction measure. In total, TDOT is operating on approximately \$180 million less than when the department brought forth its work program last year. While this overestimation and rescission will not halt any current projects, some current and future projects will be moved back to accommodate for this lack of funding.

Included in SAFETEA-LU was \$550,402,200 in federal earmarks for projects in Tennessee. Commissioner Nicely informed the committee that because not all of the earmarks are in TDOT's program, the earmarks that do not fit in the department's program will not be matched. Also, SAFETEA-LU attempted to move toward resolving the issue of donor/donee states. The result is Tennessee's rate of return will go from 90.5¢ in FY 05 to 92.0¢ in FY 09. This averages to a 91.3¢ rate of return over the course of SAFETEA-LU.

In state funding, highway user taxes revenue (gas tax) rose 1% from last year. Also, the general fund returned \$22,000,000 to the Highway Fund, leaving \$43,800,000 that the Highway Fund transfers to the General Fund. Some of this appropriation will go into programs that help economic development, such as State Industrial Access and Local Interstate Connectors. Bond authorization has also been reduced by \$72,500,000 because TDOT no longer needs bonds for the Smart Fix program in Knoxville.

The department's total budget for FY 2006-07 is \$1,721,008,000. Please see the tables below for a breakdown of the department's budget:

	FY 2006-07 Budget Request	Difference FY 07 Request less FY 06 Estimated	Difference FY 07 Request less FY 06 Work Program
Headquarters	\$15,493,000	\$860,000	\$860,000
Bureau of Administration	\$35,345,000	\$1,021,000	\$1,021,000
Bureau of Engineering	\$20,122,000	\$2,226,000	\$2,226,000
Bureau of Environment and Planning	\$8,126,000	\$1,505,000	\$1,505,000
Field Engineering	\$40,721,000	\$3,209,000	\$3,209,000
Insurance Premiums	\$11,000,000	\$0	\$0
Total Administration	\$130,807,000	\$8,821,000	\$8,821,000

	FY 2006-07 Budget Request	Difference FY 07 Request less FY 06 Estimated	Difference FY 07 Request less FY 06 Work Program
Equipment Purchases and Operations	\$26,020,000	\$5,000,000	\$5,000,000
Highway Maintenance	\$243,824,000	\$5,296,000	\$5,296,000

	FY 2006-07 Budget Request	Difference FY 07 Request less FY 06 Estimated	Difference FY 07 Request less FY 06 Work Program
Highway Betterments	\$5,800,000	(\$600,000)	(\$600,000)
State Aid	\$38,431,000	\$750,000	\$750,000
State Industrial Access	\$19,065,000	\$7,450,000	\$7,450,000
Local Interstate Connectors	\$16,450,000	\$12,300,000	\$12,300,000
Capitol Improvements	\$7,015,000	(\$85,000)	(\$85,000)
Total 100% State Construction	\$86,761,000	\$19,815,000	\$19,815,000

	FY 2006-07 Budget Request	Difference FY 07 Request less FY 06 Estimated	Difference FY 07 Request less FY 06 Work Program
Mass Transit	\$117,763,000	(\$6,797,000)	\$29,787,000
Planning and Research	\$17,500,000	(\$1,202,000)	(\$3,600,000)
Interstate	\$161,300,000	\$22,043,000	(\$22,100,000)
Forest	\$900,000	\$0	\$0
State Highway Construction	\$718,833,000	\$48,226,000	(\$69,625,000)
Bond Authorization	\$83,500,000	\$7,500,000	\$7,500,000
Smart Fix Bonds	\$0	(\$80,000,000)	(\$80,000,000)
Bridge	\$76,900,000	\$5,817,000	(\$48,000,000)
Air, Water and Rail	\$56,900,000	\$9,500,000	\$9,500,000
Total Federal/State Construction	\$1,233,596,000	5,087,000	(\$176,538,000)

	FY 2006-07 Budget	Difference	Difference
	Request	FY 07 Request less FY 06 Estimated	FY 07 Request less FY 06 Work Program
Total TDOT	\$1,721,008,000	\$44,019,000	(\$137,606,000)

	FY 2006-07 Budget Request	Difference FY 07 Request less FY 06 Estimated	Difference FY 07 Request less FY 06 Work Program
Highway User Taxes	\$661,900,000	\$6,300,000	\$6,300,000
Misc. Dept. Revenues	\$19,300,000	(\$10,300,000)	(\$10,300,000)
Fund Balance and Reserves	\$12,000,000	0	0
Bond Authorization	\$83,500,000	(\$72,500,000)	(\$72,500,000)
Transportation Equity Fund	\$32,000,000	\$8,500,000	\$8,500,000
Federal Funding	\$904,029,000	\$89,322,000	(\$92,303,000)
Other Funding	\$52,079,000	\$10,697,000	\$10,697,000
Transfer to General Fund	(\$65,800,000)	\$0	\$0
Transfer from General Fund	\$22,000,000	\$12,000,000	\$12,000,000
Total Revenue	\$1,721,008,000	\$44,019,000	(\$137,606,000)

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